

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

Michael G. Naessens,

Plaintiff(s),

V.

Bank of America, N.A.,

Defendant(s).

Case No. 2:25-cv-01079-RFB-NJK

Order

[Docket No. 68]

Pending before the Court is Defendant's motion to redact and seal filed in relation to its motion to stay discovery. Docket No. 68 (seeking to redact motion to stay discovery and one exhibit, and seeking to seal settlement agreement). Plaintiff filed a response in opposition. Docket No. 76. Defendant filed a reply. Docket No. 80.

14 The Court may allow redaction or sealing of documents submitted in relation to non-
15 dispositive matters upon a particularized showing of good cause. *Kamakana v. City & Cnty. of*
16 *Honolulu*, 447 F.3d 1172, 1179 (9th Cir. 2006). In assessing the appropriateness for secrecy, the
17 Court also considers whether allowing secrecy hinders the public's understanding of the issues.
18 See *Foltz v. State Farm Mut. Auto. Ins. Co.*, 331 F.3d 1122, 1135 (9th Cir. 2003).

19 The Court will allow the sealing and redaction requested, at least on an interim basis. The
20 information at issue in this motion to stay discovery overlaps with the information that is in the
21 motion to dismiss paperwork. *See* Docket No. 40 (redacted version); Docket No. 42 (sealed
22 version). There is a separate motion to seal filed in relation to the motion to dismiss. *See* Docket
23 No. 41. In contrast to the good cause standard, a request to redact or seal made in relation to a
24 dispositive matter is subject to the heightened compelling reasons standard. *Kamakana*, 447 F.3d
25 at 1178. Any ruling herein as to whether good cause exists for sealing would not impact the
26 determination of whether compelling reasons exist. *See id.* at 1180 (“A ‘good cause’ showing will
27 not, without more, satisfy a ‘compelling reasons’ test”). Hence, whether the subject information
28 is properly kept secret will be decided in conjunction with the motion to dismiss.

1 Accordingly, the Court conditionally **GRANTS** the motion to redact and seal filed in
2 relation to the motion to stay discovery. Docket No. 68.

3 IT IS SO ORDERED.

4 Dated: October 7, 2025

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6 Nancy J. Koppe
United States Magistrate Judge

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